

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1-32 are now present in the application. Claim 8 has been amended. Claims 26-32 have been added. Claims 1, 10, 17 and 32 are independent. Reconsideration of this application, as amended, is respectfully requested.

Claim Rejections Under 35 U.S.C. §112

Claim 8 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed.

In view of the foregoing amendments, it is respectfully submitted that these objections have been addressed. In particular, support for the amendments to claim 8 can be found in paragraph [0012] of the specification as originally filed (now paragraph [0014] of the substitute specification). Accordingly, claim 8 complies with the enablement requirement. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, first paragraph, are therefore respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-4 and 7-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lloyd, U.S. Patent No. 4,397,021, in view of Kump, U.S. Patent No. 4,736,374. Claims 5 and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lloyd in view of Kump, and further in view of Demke U.S. Patent No. 6,021,276. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

Independent claim 1 recites a combination of steps including "transmitting the program code from the at least one control computer to a measuring instrument coupled to the at least one control computer".

Independent claim 10 recites a combination of elements including "each of the plurality of control computers, upon receipt of the program update, is configured to transfer the program update to one or more of the instruments coupled to the control computer".

Independent claim 17 recites a combination of steps including "transferring the program update from the plurality of control computers to a plurality of instruments".

Applicant respectfully submits that the combinations of steps and elements as set forth in independent claims 1, 10 and 17 are not disclosed or suggested by references relied on by the Examiner.

The Examiner has correctly acknowledged that Lloyd fails to teach distributing program code among multiple measuring instruments. However, the Examiner alleged that the teachings of Kump cure the deficiencies of Lloyd. Applicant respectfully disagrees.

In particular, Kump discloses that the microprocessor 4b (referred to by the Examiner as the control computer of claims 1, 10 and 17) downloads the program from the memory 5 to allow the microprocessor to work in conjunction with the functional resource circuits set (referred to by the Examiner as the measuring instrument of claims 1, 10 and 17), including selected memory, S/H, D/A, A/D, driver, and integrator (see col. 3, lines 34-41; col. 5, lines 9-14; col. 6, lines 5-9). However, Kump nowhere teaches that the program would be transmitted from the

microprocessor 4b to the functional resource circuits set as suggested by the Examiner.

Therefore, Kump fails to teach “transmitting the program code from the at least one control computer to a measuring instrument coupled to the at least one control computer” as recited in claim 1, “each of the plurality of control computers... transfer the program update to one or more of the instruments coupled to the control computer” as recited in claim 10, and “transferring the program update from the plurality of control computers to a plurality of instruments” as recited in claim 17.

In addition, although the Examiner referred to Kump’s microprocessor 4b as the control computer of claims 1, 10 and 17, Applicant respectfully disagrees. In fact, Kump discloses that the microprocessor 4b has to work in conjunction with the functional resource circuits set as a test instrument to test the equipment (see col. 3, lines 34-41; see also FIG. 2, the sixth step). In other words, the combination of the microprocessor 4b and the selected functional resource circuits set as a whole is the test instrument. Therefore, Kump’s microprocessor 4b is not the control computer as recited in claims 1, 10 and 17.

With regard to the Examiner’s reliance on Demke, this reference has only been relied on for its teachings related to the subject matter of dependent claims 5 and 6. Demke also fails to disclose the above combinations of steps and elements as set forth in independent claims 1, 10 and 17. Accordingly, Demke fails to cure the deficiencies of Lloyd and Kump.

Accordingly, none of the utilized references individually or in combination teach or suggest the limitations of amended independent claims 1, 10 and 17. Therefore, Applicant respectfully submits that independent claims 1, 10 and 17 clearly define over the teachings of the utilized references.

In addition, claims 2-9, 11-16 and 17-25 depend, either directly or indirectly, from independent claims 1, 10 and 17, and are therefore allowable based on their respective dependence from independent claims 1, 10 and 17, which are believed to be allowable.

In view of the above remarks, Applicant respectfully submits that claims 1-25 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

Additional Claims

Additional claims 26-32 have been added for the Examiner's consideration.

Applicant respectfully submits that the recitations as set forth in new claims 26-31 are not disclosed or suggested by references relied on by the Examiner.

Lloyd discloses that only one test instrument is coupled to one instrument processor (referred to by the Examiner as the control computer)(see FIG. 2). Kump also discloses that only one set of resource circuits is coupled to one microprocessor as a test instrument. Neither Lloyd nor Kump discloses that more than one test instrument is coupled to a single instrument processor or microprocessor. Therefore, Lloyd and Kump fail to teach a plurality of instruments coupled to the single instrument processor or microprocessor as recited in claims 26-31. Accordingly, Lloyd and Kump also fail to teach selectively transmitting the program to at least one of a plurality of instruments coupled to the single instrument processor or microprocessor as recited in claims 26, 28 and 30, and selectively transmitting the program to less than all of the

measuring instruments coupled to the single instrument processor or microprocessor as recited in claims 27, 29 and 31.

Applicant also respectfully submits that the combination of elements as set forth in new independent claim 32 is not disclosed or suggested by the references relied on by the Examiner.

Favorable consideration and allowance of additional claims 26-32 are respectfully requested.

CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

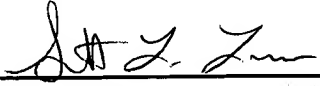
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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